



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

10/081,265

02/22/2002

Mark Itwaru

SAB-028

9838

36822 7590 01/12/2009  
GORDON & JACOBSON, P.C.  
60 LONG RIDGE ROAD  
SUITE 407  
STAMFORD, CT 06902

EXAMINER

FISCHER, ANDREW J

ART UNIT

PAPER NUMBER

3621

MAIL DATE

DELIVERY MODE

01/12/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### **ACTION**

1. The USPTO's Board of Patent Appeals and Interferences ("Board") returned this application to the Examiner. See "Order Returning Undocketed Appeal to Examiner" mailed December 19, 2008 ("December 2008 Order").
2. In the December 2008 Order, the Board ordered the Examiner to:
  - (1) obtain the necessary conferee signatures and/or TC Director signature (if necessary); and
  - (2) for such further action as may be required.
3. In accordance with (1) above, the Examiner has obtained and/or provided the necessary conferee signatures and there being no new grounds of rejections the TC Director signature is not necessary and/or required.
4. In accordance with (2) above, it is the Examiner's position that no further action is necessary.
5. Paper No. is provide for reference purposes only.

### **Conclusion**

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Charles C. Agwumezie whose number is **(571) 272-6838**. The examiner can normally be reached on Monday – Friday 8:00 am – 5:00 pm.
7. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Calvin Hewitt can be reached on **(571) 272 – 6709**.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ANDREW J. FISCHER/  
Supervisory Patent Examiner, Art Unit 3621

Conferees:

/C.L.H./  
Calvin Loyd Hewitt II  
Supervisory Patent Examiner, Art Unit 3685

Kambiz Abdi /K.A./  
Supervisory Patent Examiner, Art Unit 3692